



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matters of Price Etienne and
Hossam Fahmy, Newark School
District

Classification Appeals

CSC Docket Nos. 2022-58 and
2022-59

ISSUED: NOVEMBER 1, 2021 (HS)

Price Etienne and Hossam Fahmy appeal the determinations of the Division of Agency Services (Agency Services) that their positions with the Newark School District (NSD) are properly classified as a Network Administrator 1. The appellants seek Network Administrator 2 job classifications in this proceeding. These matters have been consolidated due to similar issues presented.

The record in the present matters establishes that at the time of the position reviews, the appellants were serving provisionally in the title of Network Administrator 1. Their positions were located in the Division of Information Technology. Agency Services reviewed, among other things, the appellants' Position Classification Questionnaires (PCQs).

Etienne did not indicate on his PCQ that he assigned work or reviewed the completed work of employees. In its determination, Agency Services noted that Etienne's position performed duties to ensure the security perimeter and internal devices, security applications, and related systems; supported the daily security operations and administration of enterprise security software both on premise and cloud services, across the district's various locations; utilized several network security platforms and tools such as firewalls, antivirus applications, intrusion detection, and prevention appliances to monitor and address network security problems; administered and performed maintenance on the district's Unified Messaging System; performed regular maintenance on Exchange databases; repaired and upgraded servers; installed new servers; maintained mail routing rules; served as the Network Engineer in the administration of network

infrastructure and maintained 1,800 switches, multiple core routers, firewalls, messaging, and 300 servers; designed, upgraded, and maintained the Local and Wide Area Network (LAN/WAN) for the district; used the Enterprise Switch Management software to troubleshoot LAN/WAN problems in the schools and Central Office; and created custom scripts to help with network management.

Fahmy did not indicate on his PCQ that he assigned work or reviewed the completed work of employees. In its determination, Agency Services noted that Fahmy's position managed and maintained network backup systems utilizing Veeam Backup; managed network filter using the Lightspeed System and Cloud Base relay for remote learning; monitored and supported a network of over 4,500 Aruba Wireless access points and 16 controllers; maintained multiple Hyper V server farms; administered user access to network resources and changed user accounts for file/print; monitored network and Internet traffic and took appropriate actions to rectify security-related concerns; diagnosed, repaired, and/or coordinated repairs to network hardware; and collected and maintained updated configuration files pertinent to servers, routers, switches, load balancers, and other network infrastructure components.

Agency Services highlighted that Network Administrator 2 is a lead worker title but that the appellants' positions did not act in such capacity. Agency Services found that their assigned duties and responsibilities were commensurate with the title of Network Administrator 1.

On appeal to the Civil Service Commission (Commission), the appellants claim that they "have" routinely assigned work to other groups and individuals. They claim that they often assign project-related tasks to field support technicians and consultants. The NSD supports these appeals.

CONCLUSION

N.J.A.C. 4A:3-3.9(e) states that in classification appeals, the appellant shall provide copies of all materials submitted, the determination received from the lower level, statements as to which portions of the determination are being disputed, and the basis for appeal. Information and/or argument which was not presented at the prior level of appeal shall not be considered.

The definition section of the job specification for Network Administrator 2 states:

Under direction, performs professional work, which includes development, implementation, and maintenance of multinetwork, multiuser Local Area Networks (LAN), Metropolitan Area Networks (MAN), and/or Wide Area Networks (WAN); maintains and/or

supervises maintenance of centralized, decentralized, and remote network services; maintains and/or directs maintenance of network security and data integrity; provides and/or directs consultations and recommendations to infrastructure managers as required to troubleshoot and resolve network problems, monitor overall performance, and conduct upgrades as required; takes the lead in planning upgrades, capacity, and communication requirements; does other related duties.

The definition section of the job specification for Network Administrator 1 states:

Under direction, performs professional work, which includes development, implementation, and maintenance of multinetwork, multi-user Local Area Networks (LAN), Metropolitan Area Networks (MAN), and/or Wide Area Networks (WAN); maintains centralized, decentralized, and remote network services; maintains network security and data integrity; provides consultations and recommendations to infrastructure managers as required to troubleshoot and resolve network problems, monitor overall performance, and conduct upgrades as required; may be assigned to the administration of Storage Area Networks (SANs); does other related duties.

The two titles are distinguished by the fact that Network Administrator 2 is a lead worker title, while Network Administrator 1 is not. A leadership role refers to those persons whose titles are non-supervisory in nature but are required to act as a leader of a group of employees in titles at the same or a lower level than themselves and perform the same kind of work as that performed by the group being led. Duties and responsibilities would include training, assigning, and reviewing work of other employees on a regular and recurring basis, such that the lead worker has contact with other employees in an advisory position. *See In the Matter of Henry Li* (CSC, decided March 26, 2014); *In the Matter of Catherine Santangelo* (Commissioner of Personnel, decided December 5, 2005).

The appellants argue that they “have” routinely assigned work to other groups and individuals. However, the foundation of position classification, as practiced in New Jersey, is the determination of duties and responsibilities being performed *at a given point in time* as verified by this agency through an audit or other formal study. Classification reviews are thus based on a current review of assigned duties, and any remedy derived therefrom is prospective in nature since duties which may have been performed in the past cannot be reviewed or verified. Given the evolving nature of duties and assignments, it is simply not possible to accurately review the duties an employee may have performed six months ago or a

year ago or several years ago. This agency's established classification review procedures in this regard have been affirmed following formal Commission review and judicial challenges. See *In the Matter of Community Service 4 Aide/Senior Clerk (M6631A)*, *Program Monitor (M62780)*, and *Code Enforcement Officer (M00410)*, Docket No. A-3062-02T2 (App. Div. June 15, 2004) (Accepting policy that classification reviews are limited to auditing current duties associated with a particular position because it cannot accurately verify duties performed by employees in the past). See also, *In the Matter of Engineering Technician and Construction and Maintenance Technician Title Series, Department of Transportation*, Docket No. A-277-90T1 (App. Div. January 22, 1992); and *In the Matter of Theresa Cortina* (Commissioner of Personnel, decided May 19, 1993). Agency Services properly found, based on the record before it, that the appellants were not performing lead worker duties *at the time of the position reviews*. Notably, in this regard, the appellants did not indicate on their PCQs that they assigned work or reviewed the completed work of employees. Additionally, the appellants suggest that they are currently performing lead worker duties. However, information or argument which was not presented at the prior level of appeal cannot be considered. See *N.J.A.C. 4A:3-3.9(e)*. As such, if the appellants believe that the duties they currently perform warrant reclassification, they must file new position review requests pursuant to *N.J.A.C. 4A:3-3.9*.

ORDER

Therefore, it is ordered that these appeals be denied.

This is the final administrative determination in these matters. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 27TH DAY OF OCTOBER, 2021



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Allison Chris Myers
Director
Division of Appeals and Regulatory Affairs
Written Record Appeals Unit
Civil Service Commission
P.O. Box 312
Trenton, New Jersey 08625-0312

- c. Price Etienne (2022-58)
Hossam Fahmy (2022-59)
Dr. Yolanda Méndez
Division of Agency Services
Records Center